

A RESOLUTION

BY COUNCILMEMBER KWANZA HALL

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT WITH THE PROGRESSIVE WELCOME HOUSE SRO, L.P. TO CORRECT THE LEGAL DESCRIPTION FOR PROPERTY LOCATED AT 234 MEMORIAL DRIVE, ATLANTA, GEORGIA, CORRECTING THE BOUNDARY OF SAID PROPERTY; AND FOR OTHER PURPOSES.

WHEREAS, Welcome House is a 209 unit Single Room Occupancy facility located on City owned property that through a sublease structure with URFA has been leased to Welcome House SRO Limited Partnership an affiliate of Progressive Redevelopment Inc.; and

WHEREAS, over half of the residents at Welcome House were homeless or at risk for homelessness at the time they moved into the facilities; and

WHEREAS, Welcome House provides an opportunity for residents to have a decent, safe place to live while receiving on-site support; and

WHEREAS, the City of Atlanta executed the Third Amendment to Ground Lease Agreement with Welcome House SRO Limited Partnership on May 2, 2007; and

WHEREAS, the legal description of the Ground Lease must be corrected to reflect the boundary of the property as was approved by the Council of the City of Atlanta on depicted on the corresponding map.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES that the Mayor is hereby authorized to execute an amended lease agreement with Welcome House SRO, LP correcting the previous legal description of the property and substituting in lieu thereof the corrected legal description attached hereto as Exhibit "A".

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized to prepare the appropriate amendment agreements and legal description for execution by the Mayor or her designee.

BE IT FURTHER RESOLVED, that said contractual agreements shall not become binding on the City and the City shall incur no liability until said agreements have been executed by the Mayor and delivered to the contracting parties.

BE IT FINALLY RESOLVED that this resolution shall take effect upon approval of the City Council and approval of the Mayor.

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COMPOSITE LEGAL DESCRIPTION

(Proposed Boundary – includes Proposed Additional Lease Tracts A & B)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 76 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF FORMWALT STREET (30' R/W) WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF MEMORIAL DRIVE (60' R/W), THENCE RUNNING ALONG THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF MEMORIAL DRIVE SOUTH 88 DEGREES 01 MINUTES 57 SECONDS EAST A DISTANCE OF 164.86 FEET TO A POINT IN THE CENTER OF A 16 FOOT ALLEY;

THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING ALONG THE CENTER OF THE AFORESAID ALLEY SOUTH 03 DEGREES 08 MINUTES 02 SECONDS WEST A DISTANCE OF 98.02 FEET TO A POINT;

THENCE RUNNING SOUTH 88 DEGREES 01 MINUTES 57 SECONDS EAST A DISTANCE OF 22.33 FEET TO A POINT;

THENCE RUNNING SOUTH 43 DEGREES 01 MINUTES 57 SECONDS EAST A DISTANCE OF 21.21 FEET TO A POINT;

THENCE RUNNING SOUTH 01 DEGREES 58 MINUTES 03 SECONDS WEST A DISTANCE OF 106.23 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 20;

THENCE RUNNING ALONG SAID RIGHT-OF-WAY LINE SOUTH 71 DEGREES 37 MINUTES 12 SECONDS WEST A DISTANCE OF 204.50 FEET TO A POINT;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 88 DEGREES 25 MINUTES 36 SECONDS WEST A DISTANCE OF 10.58 FEET TO A POINT AT THE INTERSECTION OF THE AFORESAID RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 20 WITH THE AFORESAID RIGHT-OF-WAY LINE OF FORMWALT STREET;

THENCE RUNNING ALONG THE AFORESAID RIGHT-OF-WAY LINE OF FORMWALT STREET NORTH 02 DEGREES 23 MINUTES 14 SECONDS EAST A DISTANCE OF 290.42 FEET TO THE POINT OF BEGINNING.

THE AFORESAID TRACT OR PARCEL OF LAND CONTAINS 1.10 ACRES.

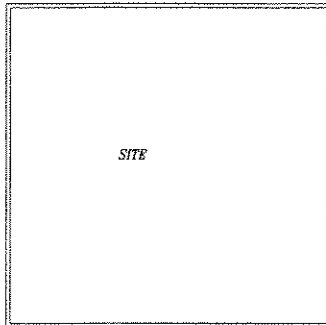
COMPOSITE LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 76 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

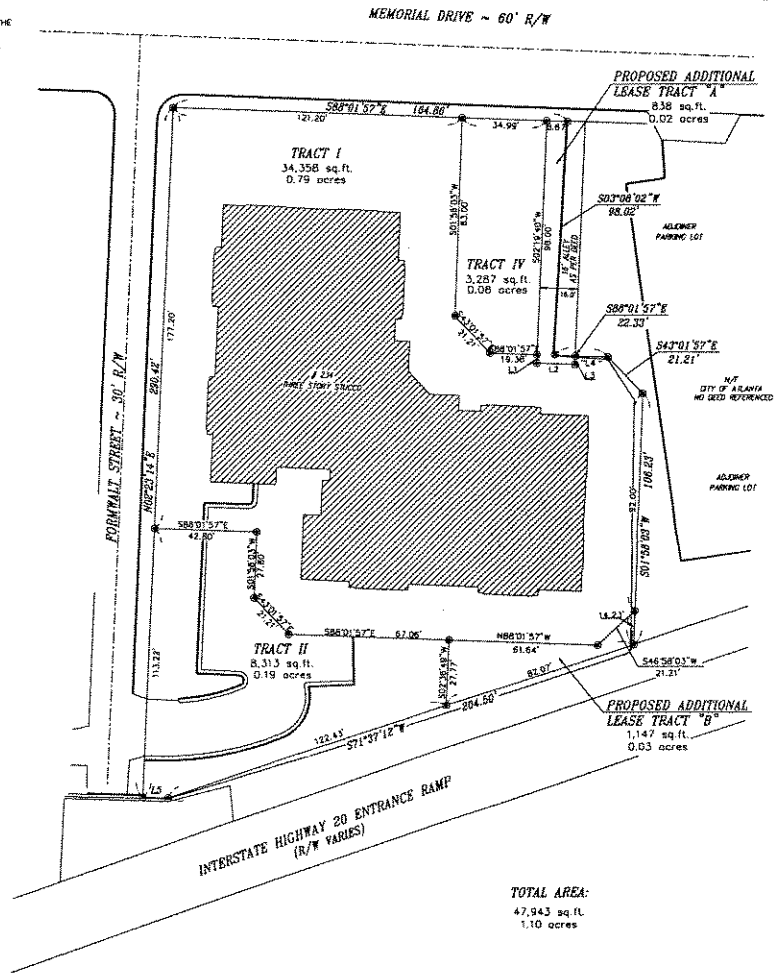
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LINE TABLE		
LINE	LENGTH	BEARING
L1	3.56	S02°19'40"W
L2	16.00	S88°11'36"E
L3	3.51	N02°19'40"E
L4	13.62	S88°01'57"E
L5	10.58	N88°25'36"W



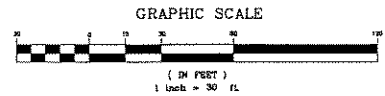
VICINITY MAP
(NOT TO SCALE)



TOTAL AREA:
47,943 sq. ft.
1.10 acres

* ALL IMPROVEMENTS ARE NOT SHOWN *

NOTE:
BOUNDARY INFORMATION SHOWN HEREON TAKEN FROM
SURVEY BY SOLAR LAND SURVEYING COMPANY, JOB
NUMBER 07-6818, DATED 11/2/07



REFERENCE JOB # 07-6818

07-6818(A) "THE ORIGINAL OF THIS DOCUMENT WAS SEALED AND SIGNED BY JOHN W. STANZILIS, JR. C.R.L.S. #2109 AND THIS REPRODUCTION IS NOT A CERTIFIED DOCUMENT." PLAT BOOK _____ PAGE _____ DEED BOOK _____ PAGE _____	SCHEMATIC DRAWING PREPARED FOR: PROGRESSIVE REDEVELOPMENT, INC. WELCOME HOUSE		FIELD DATE: 11/2/07 SCALE: 1" = 30'	SOLAR LAND SURVEYING COMPANY P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993 TELEPHONE (770) 784-9055 FAX (770) 784-9052		
	LAND LOT 76 LOT	14TH DISTRICT BLOCK	SECTION UNIT	FULTON COUNTY, GEORGIA REVISION	DT. DATE:	THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECONCILIATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED
	SUBDIVISION: SURVEYED:	DRAFTED: PLOTTED:	DISC #: APPROVED:	DT. DATE:		
				DT. DATE:		

Exhibit B

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 76 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF FORMWALT STREET (30' R/W) WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF MEMORIAL DRIVE (60' R/W), THENCE RUNNING ALONG THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF MEMORIAL DRIVE SOUTH 88 DEGREES 01 MINUTES 57 SECONDS EAST A DISTANCE OF 164.86 FEET TO A POINT IN THE CENTER OF A 16 FOOT ALLEY;

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THENCE RUNNING SOUTH 01 DEGREES 58 MINUTES 03 SECONDS WEST A DISTANCE OF

106.23 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 20;

THENCE RUNNING ALONG SAID RIGHT-OF-WAY LINE SOUTH 71 DEGREES 37 MINUTES 12

SECONDS WEST A DISTANCE OF 204.50 FEET TO A POINT;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 88 DEGREES 25 MINUTES 36 SECONDS WEST A DISTANCE OF 10.58 FEET TO A POINT AT THE INTERSECTION OF THE AFORESAID RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 20 WITH THE AFORESAID RIGHT-OF-WAY LINE OF FORMWALT STREET;

THENCE RUNNING ALONG THE AFORESAID RIGHT-OF-WAY LINE OF FORMWALT STREET NORTH 02 DEGREES 23 MINUTES 14 SECONDS EAST A DISTANCE OF 290.42 FEET TO THE POINT OF BEGINNING.

THE AFORESAID TRACT OR PARCEL OF LAND CONTAINS 1.10 ACRES.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/Executive

Caption: A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT WITH THE PROGRESSIVE WELCOME HOUSE SRO, L.P. TO CORRECT THE LEGAL DESCRIPTION FOR PROPERTY LOCATED AT 234 MEMORIAL DRIVE, ATLANTA, GEORGIA, CORRECTING THE BOUNDARY OF SAID PROPERTY; AND FOR OTHER PURPOSES

Council Meeting Date: March 19, 2008

Requesting Dept.: Planning & Community Development, Bureau of Housing

B. To be completed by the Department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to authorize the Mayor to execute an amendment to the ground lease agreement with Progressive Welcome House SRO, L.P. to correct the legal description and the boundary lines of the property located at 234 Memorial Drive, Atlanta, GA

2. Please provide background information regarding this legislation.

The original ground lease agreement included a discrepancy in the legal description. Two (2) tracts of land totaling .05 acres that are within the boundary lines of the leased property and a part of the property for the past fifteen (15) years were not included in the legal description. This resolution is to correct this discrepancy.

3. If Applicable/Known:

(a) **Contract Type** (e.g. Professional Services, Construction Agreement, etc): N/A

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:**

4. Fund Account Center:

5. Source of Funds (*e.g. Local Assistance Grant*): N/A

6. Fiscal Impact: N/A

7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Adeline B. Pierre

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Martin H. Clarke/ Simone Braithwaite

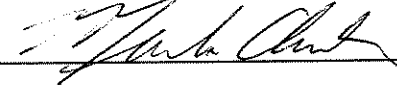
Contact Number: (404) 330-6496

Originating Department: Planning & Community Development, Bureau of Housing

Committee(s) of Purview: Finance/Executive

Anticipated Committee Meeting Date(s): March 12, 2008

Anticipated Full Council Date: March 19, 2008

Legislative Counsel's Signature: 

Commissioner Signature: _____

Chief Procurement Officer Signature: _____

CAPTION

**A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE
TO EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT WITH
THE PROGRESSIVE WELCOME HOUSE SRO, L.P. TO CORRECT THE
LEGAL DESCRIPTION FOR PROPERTY LOCATED AT 234
MEMORIAL DRIVE, ATLANTA, GEORGIA, CORRECTING THE
BOUNDARY OF SAID PROPERTY; AND FOR OTHER PURPOSES**

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: _____ Reviewed by: _____
(date) (date)

Submitted to Council: _____
(date)